

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANGELA MALCICH,)	
)	
Plaintiff,)	
)	
v.)	No. 4:20-cv-01030-AGF
)	
ST. LOUIS COUNTY, et al.,)	
)	
)	
Defendants.)	

MEMORANDUM AND ORDER


This matter is before the Court on Plaintiff Angela Malcich’s motion for leave to file her Second Amended Complaint out of time. (Doc. No. 95). Under Federal Rule of Civil Procedure 15(a), a court “should freely give leave [to amend pleadings] when justice so requires.” But “[a] district court may appropriately deny leave to amend where there are compelling reasons such as undue delay, bad faith, or dilatory motive, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the non-moving party, or futility of the amendment.” *Moses.com Secs., Inc. v. Comprehensive Software Sys., Inc.*, 406 F.3d 1052, 1065 (8th Cir. 2005) (internal quotation marks omitted).

The proposed complaint adds an allegation that the County Defendants purchased insurance relevant to Plaintiff’s claims and therefore waived sovereign immunity and allegations of joint and several liability to her claims for deprivation of medical care and civil conspiracy. No objection to the motion has been filed and the time to do so has

passed. There does not appear to be any compelling reason to deny the motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for leave to file her second amended complaint is **GRANTED**. (Doc. No. 95). The Clerk of the Courts shall detach the proposed amended complaint (Doc. No. 95-1) and docket it as Plaintiff's Second Amended Complaint.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 15th day of June, 2022.